



Eileen B. Melvin, Chairman  
Matthew W. Kirk, Vice Chairman

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COUNCIL

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August 18, 2005

**By Federal Express**

Lawrence Norton, Esquire  
General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Re: **Complaint against The Scranton Times-Tribune  
& Bob Casey for Pennsylvania Committee**

Dear Mr. Norton:

Pursuant to 2 U.S.C. § 437g(a)(1) and upon information and belief, this complaint concerns possible violations of the Federal Election Campaign Act of 1971, as amended by the Bipartisan Campaign Reform Act of 2002 (collectively "FECA"), and Commission regulations by the Scranton Times-Tribune ("Times") and Bob Casey for Pennsylvania Committee ("Casey Campaign").

Specifically, based upon publicly available information contained in media reports and upon information and belief, there is reason to believe that the Times violated 2 U.S.C. § 441b and 11 C.F.R. § 114.2 by using corporate general treasury funds to pay for the costs of creating, producing and distributing an advertisement that advocates Bob Casey's federal candidacy. If the Commission finds that the advertisements constitute an illegal corporate expenditure, the advertisements also failed to include the proper disclaimers in violation of 2 U.S.C. § 441d and 11 C.F.R. § 110.11. Finally, if the Commission finds that the Times coordinated the content, timing and placement of the advertisements with the Casey Campaign or its agents, the advertisements constitute illegal corporate contributions from the Times to the Casey Campaign in violation of 2 U.S.C. § 441b and 11 C.F.R. § 114.2.

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## **Background**

Bob Casey for Pennsylvania Committee is the principal campaign committee for Bob Casey, Jr., candidate for United States Senate from the State of Pennsylvania. See Exhibit A. The Scranton Times-Tribune is a daily newspaper in Pennsylvania. See Exhibit B.

Upon information and belief, the times commenced an advertising campaign in which the corporation paid for billboards, banner advertising on buses, television commercials and other venues not known to Complainants at this time. These advertisements contain a fictitious headline that advocates Bob Casey, Jr.'s candidacy. The advertisements prominently feature the fictitious newspaper headline "Casey to Run for Senate" with another one on the right-hand side referencing the Terry Schiavo matter. Photographs of the advertisements are attached at Exhibit C for your convenience. As can be seen, the text and visuals in the advertisements were made to appear as though it was a reproduction of an actual newspaper article when, in fact, the text was a phony headline written solely for the advertising campaign and paid for with corporate dollars by the Scranton Times-Tribune.

The attached media reports describe the corporate expenditures by the Times in which Lawrence K. Beaupre, Scranton Times-Tribune managing editor, admitted that he prepared the fake headline and that the text was written specifically for use in the advertisements. See Exhibit D. The same media reports state that the editor showed the advertisements to the publisher (unnamed). We ask that FEC investigate as to whether the publisher is a contributor and supporter of the Casey Campaign.

The advertisements also contain the slogan "Better Together". The slogan, placed near the phony headline advocating Bob Casey, Jr.'s candidacy, visually promotes the idea that Casey and the office of United States Senator are better together. This visual constitutes express advocacy for Bob Casey, Jr.'s candidacy.

The Times has announced that the advertisements are scheduled to continue to run until the end of August 2005.

## **Legal Analysis**

The Federal Election Campaign Act of 1971, as amended by the Bipartisan Campaign Reform Act of 2002 (collectively "FECA") and Commission regulations prohibit corporations from making contributions or expenditures from their general treasury funds in connection with an election to federal office. 2 U.S.C. § 441b. A 'public communication is defined as a communication by means of any broadcast, cable or satellite communication, newspaper, magazine, outdoor advertising facility . . . or any other form of general public political advertising." 11 C.F.R. § 100.26. The Times' advertisements -- which appear on billboards, busses, and in print and television advertisements -- qualify as public communications that advocate Bob Casey, Jr.'s candidacy by including the fictitious headline "Casey to Run for Senate" and the slogan,

"Better Together". Therefore, there is reason to believe that the advertisements constitute illegal corporate expenditures.

The advertisements do not fall within the scope of FECA's exemption for news stories because the text of the advertisements are neither a news story nor a reproduction or redistribution of any editorial, opinion piece, or news story in the normal course of news distribution. See 11 C.F.R. §§ 100.73 & 100.132 ("Any cost incurred in covering or carrying a news story, commentary or editorial . . ."). Rather, the advertisements were paid for by a corporation outside its normal news distribution channels and formats. Because of the nature of the advertisements and the manner of their distribution, 11 C.F.R. §§ 100.73 & 100.132 are not applicable, and the disbursements for the advertising campaign by the Scranton Times-Tribune are expenditures under FECA and Commission regulations. See 11 C.F.R. § 100.111 (defining expenditure as any purchase, payment, distribution . . . or anything of value made for the purpose of influencing the election for Federal office . . ."). Since corporations are prohibited from making expenditures in connection with a federal election, there is reason to believe that the Scranton Times-Tribune's advertising campaign constitutes an illegal corporate expenditure and the Commission should commence investigation of this matter.

Because the advertisements advocate Bob Casey, Jr.'s candidacy, they are required to carry certain FEC disclaimers identifying who paid for the advertisement, and stating whether the advertisements were approved by a federal candidate. See 2 U.S.C. § 441d; 11 C.F.R. § 110.11. Upon information and belief, none of the advertisements appear to contain the required FEC disclaimers. Accordingly, there is reason to believe that the advertisements violate 2 U.S.C. § 441d and 11 C.F.R. § 110.11 by failing to include the required FEC disclaimers.

Finally, there is reason to believe that the Scranton Times-Tribune's advertising campaign constitutes an illegal corporate contribution to the Casey Campaign.

According to publicly available information, the Times publisher has donated large sums of money to the Bob Casey's campaign committees and the campaign committees of his family members over the years. In fact, according to the Philadelphia Inquirer, the Lynett family's "political contributions have been largely limited to the Casey family, the Pennsylvania Democratic Party (\$15,000) and the past Democratic opponents of [Senator] Santorum's." Carrie Budoff, GOP Accuses Newspaper of Boosting Casey With Ad Blitz, Philadelphia Inquirer, Aug. 13, 2005 (Exhibit D). These facts warrant an investigation by the Commission to determine whether the Scranton Times-Tribune, or its publisher, coordinated the content, timing, or placement of these advertisements with either Bob Casey, Jr. or the Casey Campaign. See 11 C.F.R. § 109.21. If the Commission finds that the Casey Campaign was materially involved in the advertising campaign, or that there were substantial discussions between the Casey Campaign or its agents and the Scranton Times concerning the advertising campaign, the Commission should find that the costs of creating, producing and distributing the advertisements constitute illegal corporate contributions from the Scranton Times-Tribune to the Casey Campaign in violation of 2 U.S.C. § 441b and 11 C.F.R. § 114.2. The Commission

should require the Casey Campaign to use its FEC permissible funds to pay for the cost of the advertising campaign and impose the maximum penalty under law.

### Conclusion

The Scranton Times-Tribune's advertising campaign and its possible coordination with the Casey Campaign warrants further investigation and enforcement by the FEC.<sup>1</sup> Therefore, the FEC should immediately investigate this matter and find reason to believe that the Scranton Times-Tribune and the Casey Campaign have violated FECA and Commission regulations for the reasons explained above.

I am signing this Complaint with the understanding that it is being made under the penalty of perjury and is subject to the provisions of Section 101 of Title 18 of the United States Code.

Respectfully submitted,  
Republican State Committee of Pennsylvania

By: Eileen B. Melvin  
Eileen B. Melvin, Chairman

Attachments

State of Pennsylvania  
County of Philadelphia

SWORN TO AND SUBSCRIBED before me this 18<sup>th</sup> day of August, 2005.

Regina M. Kemp  
Notary Public  
COMMONWEALTH OF PENNSYLVANIA  
Notaral Seal  
Regina M. Kemp, Notary Public  
City of Philadelphia, Philadelphia County  
My Commission Expires Jan 24, 2008

<sup>1</sup> If the Commission finds that the Scranton Times-Tribune advertising campaign constitutes an illegal corporate expenditure and/or contribution to the Casey Campaign that exceeds \$1,000, the corporation should be required to register with the Commission and file periodic reports of its political receipts and disbursements. See 11 C.F.R. § 100.5(a). The periodic financial reports filed with the Commission should include all expenditures for corporate staff, equipment, consultants and outside vendors involved in the creative and marketing plans for the advertising campaign at issue in this complaint, as well as costs of the actual advertisement production and media placement

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# The Times-Tribune

The Scranton Times-Tribune newspapers  
149 Penn Ave.  
Scranton, PA 18503

## Contact Us

Whether you are at home or at work, contacting us is easy. Below is a list of commonly contacted departments. Use the links below to get the contact info you need. Or, you can call us toll-free at 1-800-228-4637.

[Click here for Frequently Asked Questions](#)

[Click here for the Times-Tribune Readers' Guide -- How to get your news in The Scranton Times-Tribune](#)

Contact:	Email:	Phone:
<b>Operations:</b>		
Customer Service	Toll-free 1-800-228-4637	570-348-9100
Order The Times-Tribune      Subscribe		570-348-9190
Classified Ads      Place An Ad	Classified@TimesShamrock.com	570-348-9157
Circulation/Delivery	Delivery@TimesShamrock.com	570-348-9190
Data Processing	DataProcessing@TimesShamrock.com	570-348-9186
<b>Library:</b>		
Archives		
Photo Reprints	Library@TimesShamrock.com	570-348-9140
Search online		
<b>Newsroom:</b>		
Receptionist		570-348-9116
Press Releases	MetroDesk@TimesShamrock.com	570-348-9121 Fax: (570) 348-9135
Obituaries		
For Memorials, Happy Ads, Card of Thanks, please call 1-800-228-4637	Obits@TimesShamrock.com	570-348-9130 Fax: (570) 348-9135
City editor	MetroDesk@TimesShamrock.com	570-348-9121
Lifestyles and Entertainment Announcement forms	Lifestyles@timeshamrock.com	570-348-9127
Business		
Fred Reinecke Business Editor	businessweekly@timeshamrock.com or FReinecke@timeshamrock.com	570-348-9117
Editorials / Letters to the Editor	Letters@TimesShamrock.com	570-348-9113
Sports	Sports@timeshamrock.com	570-348-9125
Photographers	photo@timeshamrock.com	570-348-9136

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To order reprints of photos, please click [here](#) for information

#### Marketing:

Marketing Dept.	Marketing@TimesShamrock.com	570-348-9172
Vince Puchalski, <i>Marketing director</i>	VPuchalski@TimesShamrock.com	

#### Advertising:

Advertising Billing	Accounting department	570-348-9184
Online Advertising	LCeccarelli@TimesShamrock.com	570-348-9100 ext.5216
Retail Advertising	Advertising@TimesShamrock.com	570-348-9100 ext. 5202

#### New Media Internet Department:

Web Site Problems	Contactus@TimesShamrock.com	
Kevin Hoppes, <i>Corporate Internet Director</i>	KHoppes@TimesShamrock.com	570-207-3460
Edward Pikulski, <i>Internet Editor</i>	EPikulski@TimesShamrock.com	570-348-9121
Chrissy Kelly, <i>Online Technical Editor</i>	ChrisannKelly@TimesShamrock.com	570-348-9100 ext. 5495
Bob Kakareka, <i>Internet Technical Support</i>	BKakareka@TimesShamrock.com	570-348-9100 ext. 5210
Keith McCann, <i>Internet Assistant</i>	keith.mccann@timeshamrock.com	570-348-9100 ext. 5410
Jennifer Sliwinski, <i>Internet Graphic Artist</i>	JSliwinski@TimesShamrock.com	570-348-9100 ext. 5428
Joy Evans, <i>New Media Account Executive</i>	JEvans@TimesShamrock.com	570-348-9100 ext. 5366
Lynn Ceccarelli, <i>Internet Sales Associate</i>	LCeccarelli@TimesShamrock.com	570-348-9100 ext. 5216

## Frequently Asked Questions:

### Why is my site showing OLD NEWS? or NO NEWS???

When is your site updated?

Do you post all of the content from the print edition?

When are the classified ads updated?

How do I place a classified ad?

How do I make a correction to my classified ad?

How do I subscribe to the print edition?

I didn't get my paper -- who do I call?

How do I search for a past story?

How do I find a story published before April 1, 2001?

How do I find an obituary?

How do I place an obituary?

How do I place a wedding, engagement or anniversary announcement?

How do I purchase back issues of the print edition?

Where do I send comments about my home delivery?

How do I submit an event to your clipboard or datebook listings?

### Q: Why is your site showing OLD NEWS or NO NEWS?

A: TheTimes-Tribune.com is updated every single day. If you are seeing an older version of our site, please click on the reload/refresh button on your browser. (Also pressing and holding the CTRL key while clicking on the refresh button)

If that doesn't work, you may need to adjust your internet settings by deleting your temporary internet files, clearing

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Presented by the Federal Election Commission

[TRY A: NEW SEARCH](#)    [RETURN TO: FEC HOME PAGE](#)

**CASEY, BOB**

**ID: S6PA00217**

**Office Sought:** Senate

**Election Year:** 2006

**State:** Pennsylvania

**Party:** DEM (Democratic Party)

**PRINCIPAL CAMPAIGN COMMITTEE:**

**BOB CASEY FOR PENNSYLVANIA COMMITTEE**    **ID: C00410225**

**NOTE:**

Candidate listings may appear here as a result of draft committees or independent expenditure committees registering with the FEC. If no official documents of an authorized committee appear below, the individual identified here has taken no action to become a candidate.

Click the Display Image column to quickly view a report page by page.

Click the Display PDF column to receive and view/print entire reports in PDF format.

Year 2005				
Document Filed	Amended	Filed On	Pages	Display Image or PDF
STATEMENT OF CANDIDACY		03/11/2005	4	25020110137 PDF
STATEMENT OF CANDIDACY	AMEND	07/21/2005	4	25020340839 PDF

[TRY A: NEW SEARCH](#)    [NEW ADVANCED SEARCH](#)

[RETURN TO: FEC HOME PAGE](#)

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SECRETARY OF THE SENATE

05 JUL 26 AM 11:14

**FEC FORM 2**  
**STATEMENT OF CANDIDACY**

1. (a) Name of Candidate (in full) Robert P. Casey, Jr.		2. Identification Number 88PA00217
(b) Address (number and street) P.O. Box 1177		3. Is This Statement <input type="checkbox"/> New (N) OR <input checked="" type="checkbox"/> Amended (A)
(c) City, State and ZIP Code Harrisburg PA 17108		
4. Party Affiliation DEMOCRATIC PARTY	5. Office Sought Senate	6. State & District of Candidate PA 0

**DESIGNATION OF PRINCIPAL CAMPAIGN COMMITTEE**

7. I hereby designate the following named political committee as my Principal Campaign Committee for the 2006 election(s)  
(year of election)

NOTE: This designation should be filed with the appropriate office listed in the instructions.

(a) Name of Committee (in full) Bob Casey for Pennsylvania Committee
(b) Address (number and street) P.O. Box 1177
(c) City, State and ZIP Code Harrisburg PA 17108

**DESIGNATION OF OTHER AUTHORIZED COMMITTEES**  
(Including Joint Fundraising Representatives)

8. I hereby authorize the following named committee, which is NOT my principal campaign committee, to receive and expend funds on behalf of my candidacy.

NOTE: This designation should be filed with the principal campaign committee.

(a) Name of Committee (in full) Committee for a Better Future
(b) Address (number and street) 120 Maryland Avenue, NE
(c) City, State and ZIP Code Washington DC 20002

**DECLARATION OF INTENT TO EXPEND PERSONAL FUNDS (House or Senate Only)**

9. I intend to expend personal funds exceeding the threshold amount (see 11 C.F.R. 400.9) by

BA	0.00	for the primary election, and
SB	0.00	for the general election.

If you do not intend to expend personal funds exceeding the threshold amount for either election, you must enter "0.00" for each.

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct, and complete.

Signature of Candidate Robert P. Casey, Jr. <i>Robert P. Casey, Jr.</i>	Date 07/21/2006
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NOTE: Submission of false, erroneous or incomplete information may subject the person signing this Statement to penalties of 2 U.S.C. § 437g.

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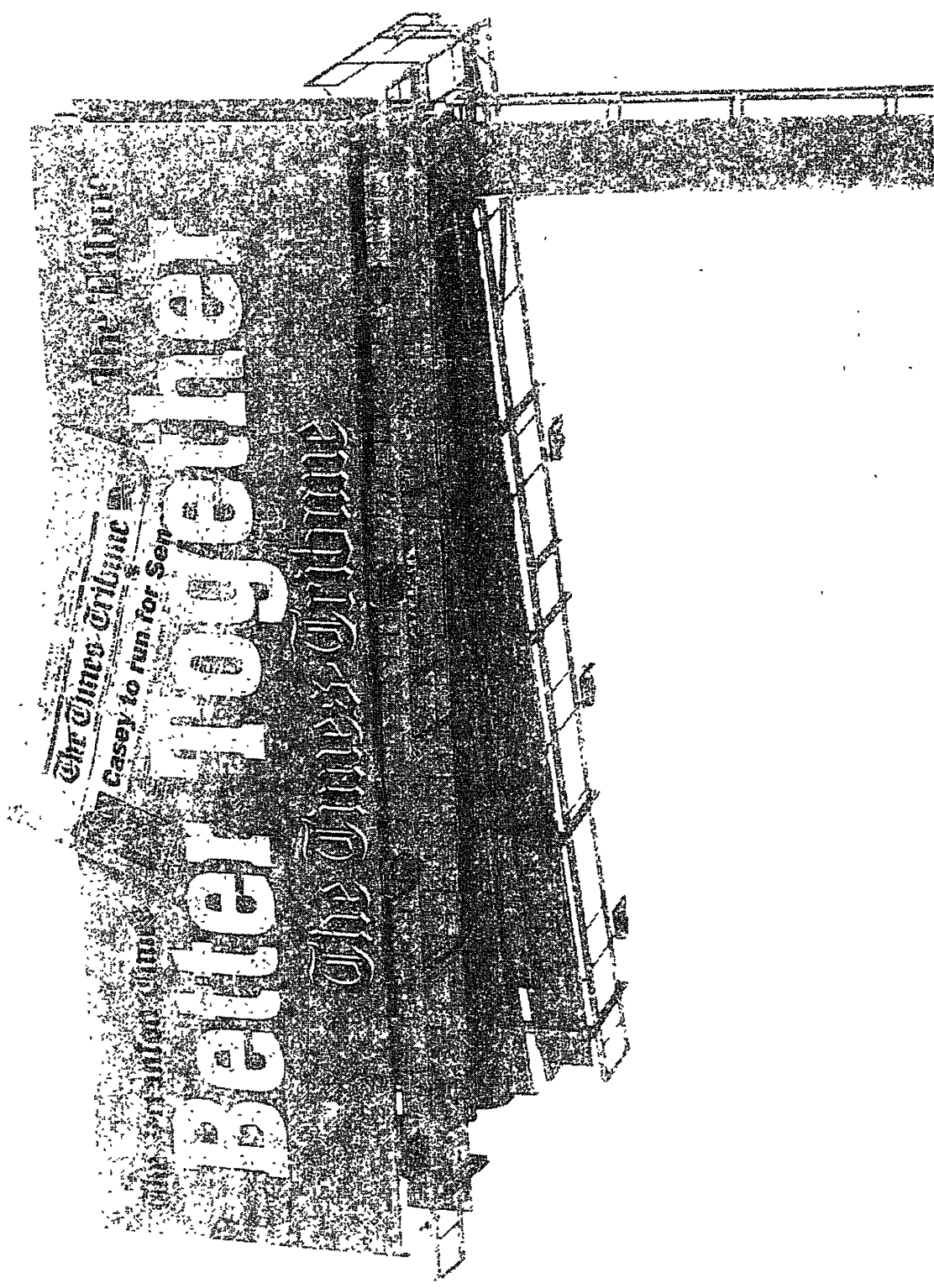
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THE TIMES TRIBUNE  
PUBLISHED  
EVERY MORNING  
EXCEPT ON SUNDAYS  
AND HOLIDAYS

**Better Together**

*The Times-Tribune*

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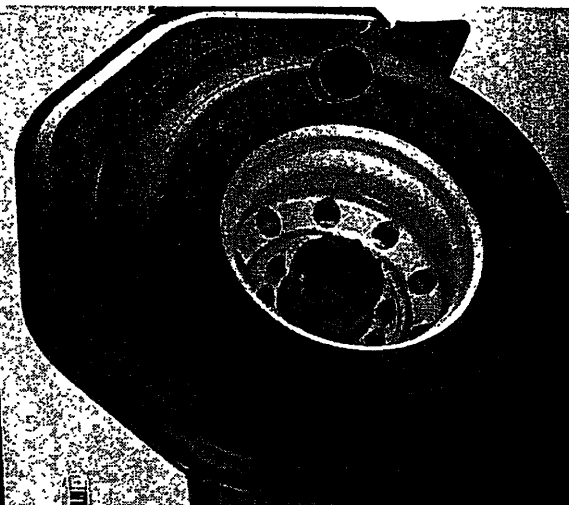
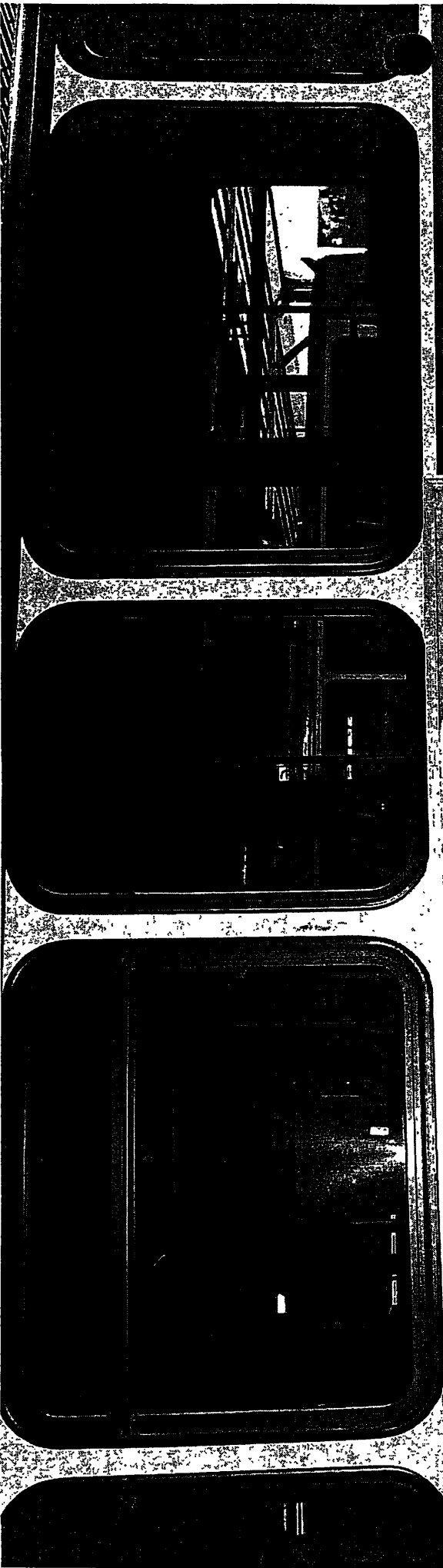
*The Times Tribune*  
Casey to run for Sen.  
**Better Together**  
*The Times Tribune*

# Better Together

The Times-Tribune

The Times-Tribune  
Casey to run for Senate





The Times

TOGETHER

Times-Tribune

**The Times-Tribune**  
Casey to run for Senate  
Says he will challenge Gov. L. Schuyler

The Southern Times

The Times

# Better Toqcuila

The Times-Tribune

The Times Tribune  
Casey to run for Senate



# Times-Valley

THE EASTERN PENNSYLVANIA'S LARGEST NEWS PAPER

MONDAY, APRIL 21, 2005

## Valley to run for

to challenge Rick Santorum

Valley  
Cost  
1.00

# The Times Tribune

Casey to run for Senate

THE NEW YORK TIMES  
is Here!

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RECYCLED



Posted on Sat, Aug 13, 2005

## GOP accuses newspaper of boosting Casey with ad blitz

The Democrat's name appears in headlines on mock front pages of the Scranton Times-Tribune on buses and billboards.

By Carrie Budoff  
Inquirer Staff Writer

It might just have faded like any other promotional campaign.

The newly merged Scranton Times-Tribune wanted to call attention to itself with advertisements that appear this summer on TV, billboards and buses. The ads featured a mock newspaper with a banner headline: "Casey to run for Senate."

But at issue now - unfolding against the backdrop of a high-profile U.S. Senate race between Republican incumbent Rick Santorum and Democrat Bob Casey Jr. - is whether the ads are a harmless promotion for a business or a possible campaign-finance violation.

The National Republican Senatorial Committee said yesterday that the ads could be illegal corporate contributions that unfairly benefit the Democrat. They also called Casey's ties to the publisher's family troubling because family members have donated more than \$120,000 to Casey and his brother, Pat.

Lawrence K. Beaupre, the newspaper's managing editor, who said he came up with the promotion, rejected the Republicans' charge. And Casey's campaign manager, Jay Reiff, said the GOP was "chasing conspiracy theories."

The conflict reflects the early intensity of the 2006 Senate race, which will be one of the most watched in the nation. Although the election is 15 months away and the newspaper's promotional ad campaign will end later this month, any perceived leg-up for either side is not going unchallenged.

Northeastern Pennsylvania went for Santorum in 1994 and 2000, but next year could be tougher for him. The Casey name is a brand in the region, home to the family for decades.

"Everything we are seeing about this is very troubling," said Dan Ronayne, spokesman for the National Republican Senatorial Committee. "We are looking into what appears to be a very serious federal election-law issue for the newspaper and the Casey campaign."

The committee is considering filing a complaint with the Federal Election Commission, possibly asking for the Casey campaign to pay the cost of the ads.

The Federal Election Commission declined to comment on the dispute.

Campaign-finance experts say, in general, media companies enjoy a broad exemption under federal finance law, which otherwise prohibits corporate contributions or spending that benefit candidates. The media are permitted to publish or broadcast material about political campaigns without being subject to the same restrictions as other corporations.

The question, experts say, is whether the company crossed the line when it created a headline that was different from the one the newspaper used March 5 to report that Casey decided to enter the race for Senate. The headline that day said "Casey In, Hafer Out."

"With the headline being made up, it increases the likely criticism that they are not operating within the scope of their normal press and journalistic activities," said Jan Baran, a Republican election lawyer who is not involved in the matter.

Also at issue is whether the headline advocates Casey.

Republicans say yes. The newspaper says no.

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"I don't see how a story announcing the candidacy of someone so well known here could influence someone's vote," Beaupre said. "It simply says he is going to run, which is something everyone here knows. It is a red herring."

Beaupre said he came up with the front-page prototype, which pulled together stories published on different days. He said he chose the Casey story because it was an "important local news story." He said he wrote a new headline to avoid using the original, which could have been confusing because it referred to another possible candidate, Barbara Hafer.

"The publisher had nothing to do with the prototype," he said. "I did it. They looked at it."

Publisher George V. Lynett and his family have donated at least \$85,000 to Casey's state campaigns, according to finance records. The publisher's sister, Cecelia Haggerty, and her husband gave \$4,200 to Casey's Senate campaign in March, according to federal records.

Casey's brother, Pat, received more than \$40,000 during his two unsuccessful bids for a Scranton-area congressional seat.

The family's political contributions have been largely limited to the Casey family, the Pennsylvania Democratic Party (\$15,000); and past Democratic opponents of Santorum's.

In 1989 and 1990, Gov. Robert P. Casey Sr. wrote college letters of recommendation for Lynett and Haggerty children, according to the Pennsylvania Museum and Historical Commission Web site.

Reiff said the family members were "great supporters."

"I hope they give us more" money, he said.

Reiff and Beaupre said they never discussed the promotion. Beaupre could not provide a cost estimate of the advertising and a phone call to the paper's marketing department was not returned yesterday.

The Lynett family's company, Times-Shamrock Group, also owns the daily Wilkes-Barre Citizens' Voice. It is a direct competitor of the Wilkes-Barre Times Leader, which is owned by Knight Ridder, the parent company of The Inquirer.

Contact staff writer Carrie Budoff at 610-313-8211 or [cbudoff@phillynews.com](mailto:cbudoff@phillynews.com).

08/17/2005

## Times-Tribune ad riles Santorum's supporters

BY BORYS KRAWCZENIUK STAFF WRITER

An advertising campaign aimed at promoting the consolidation that resulted in The Times-Tribune has thrust the newspaper into the center of the state's hotly contested political campaign for the U.S. Senate.

Officials of the National Republican Senatorial Committee and the state Republican Party say the newspaper's inclusion of a story with an altered headline — "Casey to Run for Senate" — in ads promoting the June 27 merger of The Scranton Times and The Tribune into one paper amounts to promoting Democrat state Treasurer Robert P. Casey Jr.'s Senate campaign.

If he wins the Democratic nomination, Mr. Casey will likely face incumbent Republican Sen. Rick Santorum in a race already garnering national attention.

The Republican spokesmen said the promotional ads are troubling when coupled with tens of thousands of dollars in contributions by the newspaper's publishers and their families to the campaigns of Mr. Casey, his late father, Gov. Robert P. Casey Sr., and his brother, former congressional candi-

date Patrick R. Casey.

The Republican groups are considering officially asking the Federal Election Commission to look into whether the nation's campaign-finance law was violated by coordination between the campaign and the newspaper.

"This just doesn't pass the smell test," said Dan Ronayne, a spokesman for the senatorial committee.

George V. Lynett, one of the newspaper's publishers, and managing editor Lawrence K. Beaupre denied the newspaper coordinated with the campaign. Mr. Lynett said the Republican complaints baffle him.

"I think it's too many people with too little to do," Mr. Lynett said.

Campaign ending.

The promotional ads — published in the newspaper, aired on local television stations and splashed on billboards and buses since mid-June — will disappear as scheduled by the end of this month, said Vincent Puchalski, the newspaper's marketing director.

The first public complaint about the campaign was published by the newspaper Aug. 8, a letter by Lackawanna County Republican Party Chairman Paul Catalano, who said "subliminal advertising on behalf of a particular Senate candidate is totally wrong and runs contrary to any journalistic integrity."

Mr. Beaupre said the newspaper decided to let Mr. Catalano have his say without a response.

The Republicans' complaint gained a higher profile Saturday with the Philadelphia Inquirer's publication of a story on the senatorial committee's concerns. The story was reprinted in the Tuesday edition of The Times Leader, the Wilkes-Barre newspaper that competes with The Citizens' Voice, a newspaper owned by Times Shamrock, the owner of The Times-Tribune. Knight-Ridder owns the Inquirer and The Times Leader.

Mr. Beaupre said the ad campaign included a prototype of the merged newspaper originally intended only for reader focus groups asking their reaction to the new product.

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The original headline on the story of Mr. Casey's candidacy story, published in the March 5 newspaper, said, "Casey In, Hafer Out," a reference to former state Treasurer Barbara Hafer's withdrawal from the race the same day Mr. Casey announced he was entering the race. Mr. Beaupre said he removed the reference to Mrs. Hafer to simplify the prototype. He selected the Casey story to give the prototype a strong local connection.

When the newspaper's marketing department came looking for a prototype to use in the advertising campaign, Mr. Beaupre offered his creation. Mr. Beaupre said he showed the prototype to Mr. Lynett, who reviewed it and said it was OK. Mr. Lynett confirmed Mr. Beaupre's account of his role.

Both men said they did not consult with Mr. Casey's campaign and do not view the ad campaign as advocating his candidacy. Mr. Beaupre said Mr. Casey is already well-known in the region.

"It's a factual headline. It's rather benign," Mr. Lynett said.

Casey supporter

The Inquirer reported that Mr. Lynett and his family have contributed more than \$120,000 to the campaigns of Robert P. Casey Jr. and his brother, Patrick. Mr. Lynett did not dispute the figure, but said he does not know the contribution amounts.

"I'm rather uncomfortable sometimes doing that (contributing) because of the role we play in publishing a local newspaper," Mr. Lynett said. "But I'm just as concerned about the future of Scranton and Lackawanna County as the next person so sometimes I will overcome that discomfort and give to a candidate who I think is very strong."

Mr. Lynett said he and his brothers, William and Edward, the paper's other publishers, do not dictate daily news coverage and leave that to Mr. Beaupre and other editors.

Mr. Ronayne, in a telephone call, and Republican state chairwoman Eileen Melvin, in a statement, criticized the newspaper for using a "fake headline" in an ad campaign. They called for full disclosure of the promotional campaign's cost.

Mr. Ronayne said the ad clearly advocates for Mr. Casey, and pointed to the removal of the original headline.

"Why was that editorial decision made?" he asked. "Barbara Hafer being pushed out by the Democratic Party was very controversial."

The Republicans believe the campaign amounts to in-kind advertising that Mr. Casey should disclose in campaign finance reports and that local television stations should report in their public files on political campaign advertising spending. Coordination between the campaign and the newspaper would be illegal because the newspaper is owned by a corporation and corporate contributions are illegal, the Republicans believe.

It could not be immediately determined if the stations will comply with the request.

Mr. Lynett said the promotional campaign's cost is "none of their business."

Jay Reiff, a spokesman for Mr. Casey's campaign, denied involvement in the promotional campaign and called talk of it influencing voters "really laughable."

An effort to reach a spokesman for Mr. Santorum's campaign proved unsuccessful.

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'Perfectly legal'

Frank Askin, an expert in federal election law at the Rutgers University School of Law in Rutgers, N.J., said the promotional campaign was "perfectly legal." It could be construed as an in-kind contribution because it falls outside campaign-finance law exemptions for newspaper commentary, editorials and stories, but it's legal because it doesn't advocate for Mr. Casey and falls well outside election-year advertising windows.

The campaign-finance law, he said, only restricts the use of corporate money for broadcast communications if the mention happens within 60 days of a general election or within 30 days of a primary. The Senate election isn't until next year.

But Michele McLellan, who co-authored the American Society of Newspaper Editors' Newspaper Credibility Handbook, said the campaign "clearly could be perceived as a tilt toward a particular candidate, Bob Casey."

Political analyst G. Terry Madonna called the use of the headline "a poor choice," but said it doesn't give "Casey some huge advantage politically."

Contact the writer:

bkrawczeniuk@timeshamrock.com

26044150667



CENTREDAILY.com

Posted on Thu, Aug. 18, 2005

Our opinion

## All candidates must earn this paper's endorsement

**A**bout 14 months from now, after careful consideration of the candidates, and after all of the information is in, the members of this newspaper's editorial board will sit down with open minds to consider endorsements for the 2006 general election.

Issues and stances will be discussed. The relative merits of candidates will be explored. And after hours of painstaking research and sometimes heated debate, decisions may, or may not, be reached.

We endorse candidates when we feel it is merited, and we hope that you trust our judgment and consider our opinion when you enter the voting booth.

Because you look to us for information and guidance, we do not come to these decisions lightly, or automatically.

Support for a candidate is never a given. Even long-term, high-performing politicians must be re-examined in the light of a new election, and compared critically with the competition. An endorsement must be earned each and every time.

At the Times Leader, we take this process very seriously. It appears that not all newspapers do.

In a marketing campaign mounted after the Scranton Times-Tribune merged its morning and afternoon editions, the newspaper gives a free plug to U.S. Senate candidate and hometown hero Bob Casey Jr.

The ads include a sample Times-Tribune page front featuring a banner headline proclaiming that Casey is running for the U.S. Senate, which is true.

But the headline never appeared in a published edition. It's a fake page. That means when Times-Tribune Managing Editor Lawrence K. Beaupre sat down to prepare the mock page for the marketing campaign, he consciously chose to write a headline that can be construed as a plug for the hometown politician.

Now, according to a Philadelphia Inquirer article published Tuesday in the Times Leader, the National Republican Senatorial Committee is considering filing a complaint with the Federal Election Commission, possibly asking for the Casey campaign to pay the cost of the ads.

The issue is made more complex by the fact that Casey Jr. is not just any hometown politician. Safe to say he's a media darling in Scranton, because the owners of the Times-Shamrock Group, which owns the Times-Tribune, have donated at least \$85,000 to Casey Jr. campaigns in the past.

Technically, the ads may not constitute an official endorsement. The fake headline merely says that Casey is running for office.

But the newspaper looks bad. It looks like the Times-Tribune is in Casey's corner, and future coverage of the election must be read with that in mind. Despite denials by Beaupre, it's hard to say the ads had no value for the Casey campaign.

Between now and the election, the Times Leader might print editorials that reflect favorably on seated politicians or their known opponents. But they will appear on our editorial pages, and they will never be confused with advertisements or standing endorsements.

Some day, many months from now, we might even decide to endorse Bob Casey Jr. in his Senate bid. Or maybe not. It's far too soon to say.

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All candidates must earn this paper's endorsement

Page 2 of 2

We wonder if the Scranton paper can say the same.

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
**A serious threat**

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Thursday, August 18, 2005

Campaign finance reform could have a corrupting influence on the First Amendment -- even if the National Republican Senatorial Committee does not complain to the Federal Election Commission about the Scranton Times-Tribune.



The newspaper's advertising campaign, featuring a mock banner headline -- "Casey to run for Senate" -- could be an illegal corporate contribution, according to the GOP.

Mr. Casey, a Scranton Democrat, is the early front-runner against U.S. Sen. Rick Santorum, a Penn Hills Republican.

The supposed free advertising would be a very serious federal election-law issue for the newspaper and the Casey campaign *if* the FEC would force the challenger to pay the cost of it.

But the *most* serious threat is the threat to the freedom of speech.

The McCain-Feingold campaign finance reform bill -- passed by Congress, signed into law by President George W. Bush and deemed constitutional by the U.S. Supreme Court -- is a bipartisan rationing of free speech. It restricts spending to make challenging incumbents more daunting than ever.

Should the commission rule that Casey must pay the cost of the ad, how many other challengers would risk their political careers on a bureaucrat's whim?

If government can limit the speech of an entity that buys ink by the barrel, it will limit the speech of anyone trying to speak out against the establishment.



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# The Buzz



Eric Pfeiffer Reporting

8/17/08 02:44 PM

08/17/08 02:44 PM

## Scranton Times Uses Schiavo In Ad Campaign

08/17 02:44 PM

The Lynett family's connection to **Bob Casey Jr.** is only part of the story. The *Scranton Times* advertisement, which is featured on billboards, buses, print and TV commercials, also carried a sidebar headline, which reads, "Sparks Fly Outside Schiavo Hospice,"

The March 5th edition of the paper carried neither the Casey nor Schiavo headlines. In fact, the actual Casey headline read, "Casey In, Hafer Out," a reference to former State Treasurer **Barbara Hafer**. Governor **Ed Rendell** and other prominent Democrats pressured Hafer into withdrawing from her potential Senate race the same Casey announced he was getting in. Political analysts think Casey, with his pro-life political stance, represents a more formidable challenger to **Rick Santorum**.

Representatives from the *Scranton Times* say they created the Casey headline to reflect the paper's local focus on news coverage. But in fact, they pulled an actual local news headline from the March 5th edition in favor of the fake Schiavo headline.

Bob Casey Jr. was quoted in interviews during the Schiavo controversy as saying he would have voted as Santorum did for an examination of Schiavo's health that would have resulted in prolonging her life. But he also said that would not stop him from criticizing Santorum on the issue.

So, are the publishers of the *Scranton Times* using their corporation and the Terri Schiavo tragedy as an outlet to promote Bob Casey Jr. Senate campaign? The evidence is compelling.

## Maybe I've Seen "They Live" Too Many Times, But...

08/17 02:41 PM



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Is the *Scranton Times* using a new advertising campaign as a clever disguise to attack **Rick Santorum** and promote the candidacy of Pennsylvania State Treasurer **Bob Casey Jr.**?

A new advertisement by the *Scranton Times* promoting the merging of two editions of its paper features a dummy version of the paper with the headline, "Casey to run for Senate." The newspaper has admitted to creating a false edition of their paper for the campaign. However, what many do not know is that the publishers of the *Scranton Times* are large financial donors to the Casey family.

The publisher's family has donated more than \$120,000 to Casey and his brother Pat. Publisher **George Lynett**'s family has donated at least \$85,000 to Casey's state campaigns. Lynette's sister, **Cecelia Haggerty** and her husband gave \$4,200 to Casey's Senate campaign in March. And Casey's brother Pat received more than \$40,000 in contributions during his two unsuccessfully runs for a Scranton-area congressional seat. The entire family's political contributions have been largely limited to the Casey family, but also include \$15,000 given to the Democratic Party and past Democratic opponents of Rick Santorum.

According to campaign finance laws, the *Scranton Times* advertising campaign may count as an illegal corporate contribution.

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